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By ECF

January 27, 2022

Hon. Katherine Polk Failla  
United States Courthouse  
Room 618  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

**Letter Request to be Excused from Appearing at Pretrial Conference**  
***U.S. v. Caraballo Pache, et al., 21-CR-675 (KPF)***

Dear Judge Failla:

I write to provide the Court with two updates regarding my client, Mr. Martinez. First, Mr. Martinez is planning to do a safety valve proffer with the government, which we have not yet been able to schedule. Additionally, we are still finishing up review of the discovery now that the technical issues have been resolved.

In light of the above, we will not be in a position by Friday's pretrial conference to update the Court on the status of Mr. Martinez's case. As such, we respectfully ask that the Court excuse Mr. Martinez and his counsel from appearing at Friday's conference. The government has no objection to this request, and Mr. Martinez agrees that the time between January 28, 2022 and the date of the next conference is excludable in the interests of justice.

Respectfully submitted,

/s/ Marisa Taney  
Marisa Taney

*Counsel to Candelario Martinez*

cc: Counsel of Record (*via ECF*)

Application GRANTED. In light of the above status update, Mr. Martinez and his counsel shall be excused from appearing at tomorrow's conference. The Court acknowledges Mr. Martinez's consent to exclude time under the Speedy Trial Act and will make note of it on the record during the scheduled conference.

The Clerk of Court is directed to terminate the pending motion at docket entry 22.

Date: January 27, 2022  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE